



## **S. 1446 – District of Columbia Appropriations Bill, 2006**

Calendar No. 170

*On July 21, the Appropriations Committee reported S. 1446 as an original bill by a vote of 28-0; S. Report 109-106.*

### **Noteworthy**

- Under a unanimous consent agreement, S. 1446, the District of Columbia Appropriations Bill for FY 2006, will be offered as an amendment to H.R. 3058 and then debated for forty minutes this morning at 11 A.M. with the time equally divided. Following debate, the amendment will be accepted by voice vote with no second-degree amendments in order.
- S. 1446 provides \$593.0 million in Federal funds to the District of Columbia, which is \$19.6 million above the Administration's request and \$37.5 million above the FY05 enacted level.
- S. 1446 recommends a total of \$8.70 billion in District of Columbia funds for FY 2006. This is the same level of funding as that requested by the District of Columbia.
- S. 1446 provides \$40.0 million for School Improvement in the District of Columbia, which is \$1.6 million below the Administration's request, but \$320,000 above the FY05 enacted level.
- On June 30, the House passed H.R. 3058, its version of the Transportation, Treasury, Judiciary, and Housing and Urban Development Appropriations bill for FY 2006, by a vote of 405-18. The House-passed bill included funding for the District of Columbia, as the House no longer has a stand-alone appropriations bill for the District of Columbia.

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## Highlights

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S. 1446 includes funding for three new Federal-local initiatives in the District of Columbia. These include: (1) promoting and sustaining healthy marriages; (2) enhancing educational and health opportunities for Latino youth; and (3) reducing prisoner recidivism.

**Promoting Healthy Marriages:** The Committee notes that most children born and raised in households where their biological parents are married are more financially and emotionally stable. As a way to assist low-income married couples to save money to pay for job training or education, buy a home or start their own business, the Committee is providing funds to establish “Marriage Development Accounts” (MDAs) in the District of Columbia. MDAs will be available to married couples who are citizens or legal residents of the District of Columbia whose combined Federal adjusted gross income does not exceed \$50,000 and whose net worth is less than \$10,000. S. 1446 provides \$3.0 million for this program.

Participating couples will have a high incentive to save because their contributions will be matched at a ratio of 3:1 by the Federal Government and partnering private institutions. As a requirement of participation, couples will receive training that helps them repair their credit, set a budget and savings schedule, and manage their money.

**Enhancing Educational and Health Opportunities for Latino Children:** The Committee is concerned about the problems facing Latino youth in the District of Columbia. The Committee is providing funding for a Latino Youth Initiative to help address some of these challenges. These resources will support the efforts of community-based organizations in providing direct and supportive services. The Committee has also provided funds for a D.C. Latino Education Director. S. 1446 provides \$2.0 million for this program.

**Reducing Prisoner Recidivism:** The Committee notes that every year 2,500 former prisoners return home to the District. These returning offenders are assigned to the Court Services and Offender Supervision Agency for release plan investigations during their parole or probation terms. Those who cannot identify a safe place to live are assigned to halfway houses where their stays are capped at 120 days. S. 1446 provides \$3.0 million for this program.

The Committee believes strongly that reducing the likelihood of homelessness for those exiting the halfway house system is critical to combating recidivism among returning prisoners. Therefore, the Committee has provided funds for incentives to encourage developers and non-profit organizations to set aside units for ex-offenders when the developer is rehabilitating or constructing new housing.

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## **Bill Provisions**

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In addition to the three initiatives described on page 2, S. 1446 includes the following Federal payments:

**District of Columbia Resident Tuition Support:** Provides \$33.2 million in Federal funds for the District of Columbia Tuition Assistance Program, which is equal to the Administration's request and \$7.8 million above the FY05 enacted level.

**Emergency Planning and Security Costs:** Provides \$12.0 million for Emergency Planning and Security Costs, which is \$3.0 million below the Administration's request and \$2.9 million below the FY05 enacted level.

**District of Columbia Courts:** Provides \$218.9 million in Federal funds for the District of Columbia Courts, which is \$2.8 million below the Administration's request, but \$29.6 million above the FY05 enacted level. Included in this funding is: \$138.2 million for the Courts' operations and \$80.7 million for capital improvements.

**Defender Services in District of Columbia Courts:** Provides \$45.0 million for Defender Services in District of Columbia Courts, which is equal to the Administration's request, but \$6.8 million above the FY05 enacted level. This funding increase will allow D.C. attorneys and investigators to receive the same hourly rate as their Federal counterparts.

**Court Services and Offender Supervision Agency for the District of Columbia:** Provides \$201.4 million for the Court Services and Offender Supervision Agency, which is \$2.0 million below the Administration's request, but \$22.8 million above the FY05 enacted level.

**Water and Sewer Authority:** Provides \$5.0 million (to be matched 100 percent with local funds) for the Water and Sewer Authority, which is \$238,000 above the FY05 enacted level. The Administration did not request funding. This funding will design and implement a new system to address combined sewer overflows. The combined sewer system, which serves 33 percent of the District, was constructed in 1890.<sup>1</sup>

**Anacostia Waterfront Initiative:** Provides \$3.0 million for the Anacostia Waterfront Initiative, which is \$2.0 million below the Administration's request, but \$24,000 above the FY05 enacted level. These funds will support the construction of a multi-use hiker and biker trail system along both sides of the Anacostia River.

**Criminal Justice Coordinating Council:** Provides \$1.3 million for the Criminal Justice Coordinating Council, which is equal to the Administration's request and \$10,000 above the FY05 enacted level.

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<sup>1</sup> It is estimated that these overflows occur between 60 and 75 times a year during heavy rains.

**Transportation Assistance:** Provides \$1.0 million (to be matched 100 percent with local government and private funds) for Transportation Assistance in the District of Columbia, which is \$1.5 million below the FY05 enacted level. The Administration did not request funds. These funds are for expenses related to Phase I implementation of the District's downtown circulator transit system.

**Foster Care Improvements:** Provides \$2.0 million for Foster Care Improvements, which is nearly \$3.0 million below the FY05 enacted level. The Administration did not request funding. This appropriation will allow the District to continue to provide the services at the level initiated last year, through the use of unexpended funds. Included in this funding is: \$1 million for the repayment of student loans for social workers at the Child and Family Services Agency (CFSA); \$750,000 to assist CFSA in providing post permanency services to adoptive parents and guardians to ensure that children remain in stable homes; and \$250,000 to recruit and retain foster parents.

**Office of the Chief Financial Officer of the District of Columbia:** Provides \$16.5 million for the Office of the Chief Financial Officer of the District of Columbia, which is \$15.7 million below the FY05 enacted level. The Administration did not request funding for this account. A portion of these funds are intended for the Children's National Medical Center for a new pediatric intensive care unit and a neonatal intensive care unit and to St. Coletta's of Greater Washington for its building project.

**School Improvement in the District of Columbia:** Provides \$40 million for School Improvement in the District of Columbia, which is \$1.6 million below the Administration's request, and \$320,000 above the FY05 enacted level. Included within these funds is: \$13 million for the **DC Opportunity Scholarship Program** for low-income children in underperforming schools; \$13 million for development of quality public charter schools; \$13 million aimed at strengthening leadership and instructional excellence and increasing student achievement at District of Columbia Public Schools in accordance with the No Child Left Behind Act; and \$1 million for administrative expenses.

**Bioterrorism and Forensics Lab:** Provides \$5.2 million for costs associated with the construction of a new Bioterrorism and Forensics Lab, which is \$2.0 million below the Administration's request and \$2.7 million below the FY05 enacted level. The District is expected to provide at least an additional \$1.5 million for costs associated with this new laboratory.

**National Guard Youth Challenge in D.C.:** Provides \$500,000 for the National Guard Youth Challenge in the District of Columbia, which is a community-based program for at-risk youth.

## **General Provisions**

The proposed bill retains the Senate position on the following general provisions, which modify current law in two areas:

- **Lobbying:** Prohibits Federal funds, but allows local funds for all lobbying purposes, including lobbying for voting representation and statehood.
- **Needle exchange:** Prohibits Federal funds, but allows local funds to support any program which distributes hypodermic needles for the purposes of reducing disease transmission.

The bill maintains current law on the following other general provisions:

- **Attorney's Fees:** Caps the amount paid to attorneys at \$4,000 per case in suits against the District of Columbia Public Schools under the Individuals with Disabilities Education Act.
- **Abortion services:** Prohibits Federal and local funds for abortion services, except in the case of rape or incest or to preserve the mother's health.
- **Medical Marijuana:** Prohibits Federal and local funds to implement a 1998 D.C. initiative in support of the medical use of marijuana.

The bill includes a new provision to transfer 15 acres of Federal land at RFK Stadium to the District of Columbia. The land is currently being used as a parking lot and the bill language stipulates that the land be used for educational purposes.

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## **Administration Position**

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A Statement of Administration Policy (SAP) on the bill as reported by the Senate Appropriations Committee was not available at press time.

On June 29, the Administration released a SAP on the House-reported bill, H.R. 3058 (which included appropriations for the District of Columbia). The Administration supported House passage of H.R. 3058 and looks forward to working with Congress to ensure that the FY06 appropriations bills do not exceed the **\$843 billion discretionary funding level** contained in the FY06 Budget Resolution, as amended by the July 14, 2005, request for additional funds for Veterans Affairs medical care. **(The President's Budget includes over 150 program savings and reforms and was the first to propose reducing non-security discretionary spending since the Reagan Administration.)** In the SAP to the House-reported bill, the Administration offered its view on one provision related to the District of Columbia. The Administration appreciated the full funding of the President's request of \$41.6 million for the District of Columbia school-improvement plan.

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## **Cost**

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S. 1446 would result in the following outlays:

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|--------------------------|----------------------------|
| FY 2006                  | \$509 million <sup>2</sup> |
| FY 2007                  | \$56 million               |
| FY 2008                  | \$18 million               |
| FY 2009                  | \$10 million               |
| FY 2010 and future years | \$0                        |

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<sup>2</sup> This amount excludes outlays from prior-year budget authority.